

BABCOCK FACES HIS INQUISITORS

Manager of Commercial Club
Traffic Bureau on Stand
Most of Day

**MUCH NEW LIGHT
THROWN ON RATE**

J. A. Munroe of the Union Pacific Recalled: Details of the Box

S. H. Babcock, manager of the Salt Lake traffic bureau, was the principal witness at the hearing of the Salt Lake case before the interstate commerce commission Thursday. His direct testimony was largely a reinforcement of that already put forth for the complainants by other witnesses the first day of the trial. Mr. Babcock began with an outline of his previous experience in the railroad business. He then submitted to the commission a long list of exhibits, on the contents of which rests the bulk of the complaint against unduly high freight rates, not only for Salt Lake, but for all other interstate mountain points. These exhibits are mostly a mass of figures, compiled from various railroad and shipping reports. One of these exhibits was a page from The Salt Lake Tribune, showing the mining resources of Utah.

Although considerable verbal testimony has been heard by the commission and still more remains to be taken, the indications are that there will be a fight of figures. Later in the day, when the plaintiffs rested the case, the defense, the railroads, at once began their side by putting in evidence another large collection of similar exhibits to prove that rates are just as proper as they stand today, with minor exceptions.

Faces Dillard.

After his direct testimony Mr. Babcock faced Judge C. F. Dillard, attorney for the defense in charge of the case, to undergo one of the most severe cross-examinations ever heard in a Salt Lake courtroom. Mr. Babcock began his testimony at 10:50 a. m. and his cross-examination began at 11:30 a. m. Judge Dillard was merciless and grilled his witness for an hour, till

noon recess at 12:30. Immediately at the beginning of the afternoon session at 2 o'clock the cross-examination began again and lasted till Mr. Babeo left the stand at 3:20 p. m. After

Judge Dillard had finished with the witness, Attorney E. B. Pierce, interstate commerce attorney for the Chicago, Rock Island & Pacific railroad took up the task. From Mr. Pier-

the witness was turned over to General Attorney E. N. Clark of the Denver Rio Grande. Mr. Clark read to Mr. Babcock the testimony he gave in the

Leadville-Midland case that seemed to be the reverse of the testimony he gave in the present Salt Lake case. Commi-

also. Then all three lawyers and Commissioner Prouty raised questions of Mr. Babcock by turns.

Mr. Babcock's direct testimony was as dry as the usual routine of the hearing, but some points of the cross-examination rose to a tense pitch and

the dramatic situations carefully worked up by the lawyers to entrap the witness, especially one instance

when Mr. Babcock stated that if the interstate commerce commission should order rates that the Union Pacific could live under, but that the Denver & R

Grande, because of its longer and more mountainous line, could not live under that then the Denver & Rio Grande would have to be crushed out. The

statement by Mr. Babeock created almost a sensation in the courtroom as was the most dramatic thing in the

Before Mr. Babcock took the stand at the morning session several other witnesses were heard, but gave test-

mony largely of a nature to complete the written record rather than intended to impress the commission verbally.

J. A. Monroe, general traffic manager for the Union Pacific, was put on the stand for a short time to testify.

to certain conditions of rebating and division of traffic some years ago. He was followed by S. V. Derrah, assistant

general freight agent for the Denver & Rio Grande, through whose testimony was introduced and placed on file certain exhibits showing details of the

D. E. Hurley, general passenger agent of the Oregon Short Line, then took the stand and testified to passenger

His testimony was largely technical. Mr. Burley was followed by Mr. Bal-

After Mr. Babcock left the stand for the afternoon session, Stephen H. Love

traffic manager at the Zion's Co-operative Mercantile Institution, was sworn and testified to rates paid by his company at present and in the past. Who

it came to a question of relating under past conditions, Mr. Love insisted that freight conditions were less satisfactory today, both in terms and service.

that his company had earned 12 per cent dividend and a large surplus and

undivided profits. He contended, however, that the same rate of profits for a railroad would be unreasonably high. With this testimony the plaintiffs rested.

their case, Judge Day made the announcement in a few words just at 1 o'clock.

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